

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE:**

## MIRENA IUD PRODUCTS LIABILITY LITIGATION

**MDL Docket No. 2434**  
**7:13-md-02434-CS-LMS**

**Hon. Cathy Seibel**

*This document relates to:*

**MELISSA FADEL, an individual,**

**CASE NO. 7:13-cv-6164-CS**

**Plaintiff,**

**V.**

**BAYER HEALTHCARE  
PHARMACEUTICALS INC., et al.,**

## Defendants.

**RESPONSE BY ROBINSON CALCAGNIE ROBINSON SHAPIRO DAVIS, INC.**  
**TO BAYER’S MOTION TO DISMISS**

On January 27, 2014, Defendants filed a Motion to Dismiss Plaintiff Melissa Fadel’s lawsuit for failure to submit a Plaintiff Fact Sheet. On January 9, 2014, the law firm of Robinson Calcagnie Robinson Shapiro Davis, Inc. (“RCRSD”) had previously filed Motion for Leave to Withdraw As Attorney of Record for Plaintiff, which disclosed to the Court the fact that a conflict had arisen between RCRSD and Plaintiff Fadel, making it unreasonably difficult for RCRSD to continue to represent Plaintiff Fadel in this action.

On January 17, 2014, the Court issued an Order To Show Cause Why The Court Should Not Order Withdrawal Of Robinson Calcagnie Robinson Shapiro Davis, Inc.

As Attorneys of Record for Plaintiff. The Order to Show Cause is scheduled to be heard on February 18, 2014.

On January 23, 2014, Plaintiff was notified via U.S. Mail and Federal Express of her deadline to respond by February 11, 2014, to the Court's OSC and of the February 18, 2014, hearing date, and was provided a copy of the OSC and corresponding documents. On January 29, 2014, Plaintiff was notified via U.S. Mail and Federal Express of her deadline of February 11, 2014, to respond to Defendant's Motion to Dismiss, and was provided a copy of Defendant's Motion to Dismiss.

Dated: February 7, 2014

Respectfully submitted,

/s/ Shannon Lukei  
Shannon Lukei, CA Bar No. 202868 (*Pro Hac Vice*)  
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*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 7, 2014, Plaintiff, Melissa Fadel, was served with a copy of this **RESPONSE TO BAYER'S MOTION TO DISMISS** and notified of all deadlines and pending court appearances by U.S. Mail, and Federal Express at Plaintiff's last known address, which is: 15186 Hobby Way, Nevada City, CA 95959.

ALSO, I HEREBY CERTIFY that on February 7, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

/s/ Shannon Lukei  
Shannon Lukei